

Patent
Serial No. 10/071,005
Attorney Docket No. 9S01.1-040

REMARKS

Remaining Claims

Eleven (11) claims (Claims 1-11) remain pending in this application through this Amendment. Claim 1 has been amended herein, and Claim 8 has been canceled. Applicants respectfully request further examination of the application, as amended. As explained in more detail below, Applicants submit that all claims are in condition for allowance and respectfully request such action.

Rejection of Claim 8 under 35 USC §112, first paragraph

Claim 8 stands rejected under 35 U.S.C. §112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Claim 8 has been canceled, mooted the specific rejection of Claim 8. Nevertheless, to the extent the Examiner may have similar questions regarding support in the specification for features recited in amended Claim 1, the Applicants respectfully point out that the subject matter of Claim 8 was related to Fig. 7, which shows the trunk section 22 and hubs 18, 20b, 84, 85 and secondary sections, which originate at any hub 18, 20b, 84, 85 extending to a network terminating device such as INT 16. provide the following clarifications. Amended Claim 1 is based on this description in the specification and also based on originally-filed Claim 8.

The central data bus includes a backbone section corresponding to item 22 in Fig. 1 or item 22 in Fig. 7. Furthermore, the central data bus includes a first hub corresponding to item 20 in Fig. 1 and a secondary section between the first hub and the second interface means allocated to the second network terminating device, which corresponds to device 14 in Fig. 1. The interface for device 14 is for example shown in Fig. 2.

Furthermore, as amended, Claim 1 now recites a second hub corresponding element 18 in Fig. 1 and a secondary section connected between the second hub and the third interface means corresponding to the interface means included in intelligent network terminating device 16.

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Importantly, the first interface means, which is the interface shown in hatched lines of the communication server 66 in Fig. 5 or the device 24, the first hub 20 and the second hub 18 are connected to each other via the backbone section, which is also called "in house backbone" in Fig. 1.

In view of the foregoing, it is respectfully submitted that all claims are fully supported by the specification.

Rejection of Claims 1-12 under 35 USC §103(a) – Kawakita in view of Lebrun et al.

Claims 1-12 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Kawakita (U.S. Patent No. 5,673,395) in view of Lebrun et al. (U.S. Patent No. 5,548,579). The Applicants respectfully traverse this rejection in view of the following.

Kawakita discloses a process for constructing a computer network system for tenant rooms in an "intelligent building." For interconnecting several devices in several blocks in several floors, a ring structure is formed, as shown in Figs. 4 and 5. Specifically, each block has a wiring component 9, an FDDI node 10 and an optical connector 8. Furthermore, between an optical connector 8 and an optical patch panel 16, there extend optical fiber cables having at least four cores (column 4, lines 1 to 5). When an FDDI node 10 is active, two cores of the four cores are connected to each other, while the other two cores of the four cores are also connected to each other. This can be seen in Fig. 5 in the boxes having the reference number "10". To complete the ring, the respective four cores of the fibers are connected in the patch panel. Thus, Kawakita clearly discloses a ring architecture rather than a trunk/branch architecture as defined in amended Claim 1.

In addition, Kawakita does not disclose a backbone section having a first hub and a second hub, wherein the hub is placed between the backbone section and the network terminating device.

The Examiner compares the FDDI node 10 in Fig. 2 of Kawakita to the first, second or third interface of Claim 1 and compares the wiring component 9 and the corresponding device connected to the wiring component 9 to a first,

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second or third network terminating device. However, in view of the comments above, it should now be appreciated that the ring structure in Kawakita is not within the scope of amended Claim 1.

With regard to the features originally recited in Claim 8 (now canceled) that the Examiner contends are disclosed at column 5, lines 30 to 45 of Kawakita, although this passage mentions a hub, it does not relate to the ring structure of Fig. 4 or Fig. 5. Rather, it relates to the devices connected to the wiring component 9 in a certain block. Thus, Kawakita discloses in column 5 that an Ethernet as described in column 5, lines 15 to 28 can be connected to an FDDI node 10 as shown in Fig. 4 or Fig. 5. This becomes clear from the fact that in column 5, line 13 "a secondary LAN system" is mentioned, which is connected to the ring structure via the "optical connectors" as outlined in column 5, line 32. The component for connecting the (ring-structure backbone system) to the Ethernet (branch system) can be a hub or something like that. This is outlined in column 5, lines 33 to 39.

In summary, Kawakita does not disclose or suggest a trunk/branch structured Ethernet but rather only an optical four-core-fiber ring structure. The Ethernet as outlined in Kawakita would be connected to an intelligent network terminating device, such as device 14 or 16 in Fig. 1 Kawakita. In contrast, the features recited in originally-filed Claim 8 (now canceled) that are now recited in amended Claim 1 relate to the central bus rather than any devices connected to the network terminating devices.

With regard to LeBrun et al., a third party requestor contacts a quality-of-service (QoS) allocator, which is connected to a local area network, for the purpose of addressing QoS requirements in a domain of a local area network interconnected by a FDDI segment. Connected to this local area network is, in addition, a multimedia application having a QoS requestor shown in Fig. 2. Thus, LeBrun et al. clearly describes a situation in which there is a central QoS allocator, which distributes network resources in a strictly centralized manner.

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In contrast, the last paragraph of Claim 1 clearly states that each network terminating device or each communication device is formed to arrange, together with the interface, which has been allocated to the same, transmission parameters for a transmission via the central data bus for achieving an adaptive service quality. Thus, Claim 1 is limited to a decentralized adaptive service quality determination, while LeBrun et al. describes a strictly central quality of a service control. In LeBrun et al., there is only a single quality of service allocator, while, in accordance with the last paragraph of Claim 1, each network terminating device or each communication device determines, together with the interface, transmission parameters for a transmission via the central data bus for achieving an adaptive service quality.


In summary, there are features recited in, for example, independent Claim 1, that are disclosed neither in Kawakita nor LeBrun et al. nor in any other reference of record. Therefore, combining the teachings of these references would not result in the invention as set forth in amended Claim 1, with its central data bus features and the decentralized adaptive service quality feature. In view of the foregoing, it is respectfully submitted that Claim 1 and the claims that depend from it could not have been obvious to a person of ordinary skill in the art in view of the combination of Kawakita and LeBrun et al. and respectfully requested that this rejection of Claims 1-12 be withdrawn.

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CONCLUSION

For the reasons set forth above, it is respectfully submitted that all pending claims are now in condition for allowance, and Applicants request a Notice of Allowance be issued in this case. Should there be any further questions or concerns, the Examiner is urged to telephone the undersigned to expedite prosecution.

Respectfully submitted,
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